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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/058,772	01/28/2002	Michael Wayne Brown	AUS920010521US1	4176

43307 7590 12/21/2005

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EXAMINER	
ZHOU, TING	
ART UNIT	**PAPER NUMBER**
2173	

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/058,772	BROWN ET AL.	
	Examiner	Art Unit	
	Ting Zhou	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 October 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-14,16-23 and 25-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3-5, 7-10, 12-14, 16-19, 21-23 and 25-27* is/are rejected.

7)☐ Claim(s) *2,11 and 20* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The amendment filed on 13 October 2005 have been received and entered. Claims 1-5, 7-14, 16-23 and 25-27 as amended are pending in the application.

Allowable Subject Matter

2. Claims 2, 11 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3. The following is a statement of reasons for the indication of allowable subject matter: The present invention is directed to a method for automatically adjusting window representations within a graphical user interface based on a separate level of current activity for each of a plurality of window elements. Each of claims 2, 11 and 20, when taken with their respective base claims as a whole, identifies the distinct feature of automatically adjusting a position of each of the plurality of window elements within a z-order of a plurality of windows displayed within the graphical user interface to reflect the graphical representation of each of the plurality of window elements ordered according to each separate level of current activity. The closest prior art, Microsoft® Windows, copyright 1998, teaches the detection of a separate level of current activity for each of a plurality of window elements and adjusting the displayed window representations within the graphical user interface based on the detection. However, Microsoft® Windows does not teach automatically adjusting the z-order position of the plurality of displayed windows in accordance with the order of the windows displayed in the graphical

representation of the separate level of current activity of the plurality of windows, i.e. the displayed "Task Manager" window. Thus, the prior art fails to anticipate or render the above limitations, when taken with the limitations of the base claims as a whole, obvious.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-4, 10, 12-13, 19 and 21-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft® Windows (hereinafter "Windows"), copyright 1998 (screenshots attached).

Referring to claims 1, 10 and 19, Windows teaches a method, system and program comprising a graphical user interface (GUI shown in Screenshot 2), detecting a separate level of current activity performed by at least one component of a computer system in association with each of a plurality of window elements within a graphical user interface (each window element displayed in Screenshots 2-3 have a separate associated level of current activity, for example, amount of memory usage, as shown in the Task Manager in Screenshot 3); automatically performing at least one of minimizing at least one of the plurality of window elements and maximizing at least one of the plurality of window elements as triggered by an adjustment to at least one separate level of current activity in relation to a threshold level for the current activity, such that a representation of each of

the plurality of window elements is graphically represented (for example, upon a change in the activity level of a window, such as upon receiving user selection of a minimized representation of a window, i.e. "Document 2" shown in Screenshot 4, which causes an adjustment in the level of memory and processor usage, the selected window is maximized, as shown in Screenshot 5), wherein minimizing the window element when the separate level of current activity adjusts less than a threshold level comprises reducing the window element from a graphical window to a graphical icon representing the graphical window, wherein maximizing the window element when the separate level of current activity adjusts greater than a threshold level comprises increasing the window element from a minimized graphical icon representing the window element to a full graphical window (when the memory and processor usage activity level of a window changes above a certain level, i.e. when it is detected that the memory and processor usage of a window has indicated that a user has selected the minimized representation of the window, the window is increased from a graphical icon shown in Screenshot 4 to a full graphical window shown in Screenshot 5); and displaying within a separate window element within the graphical user interface a graphical representation of each of the plurality of window elements ordered according to each separate level of current activity (the separately displayed "Task Manager" window on the graphical user interface shown in Screenshot 3 displays the associated window elements according to the level of activity, for example the PID level; for example, the associated window elements can be ordered according to memory usage as well).

Referring to claims 3, 12 and 21, Windows teaches automatically adjusting a size of the at least one of the plurality of window elements when performing one of

minimizing at least one of the plurality of window elements and maximizing at least one of the plurality of window elements to a pre-selected size specified by a user in a selection of preferences designated in association with performing one of minimizing at least one of the plurality of window elements and maximizing at least one of the plurality of window elements as triggered by an adjustment to at least one separate level of current activity in relation to the threshold level for the current activity (users can specify a pre-selected preferred size for a window element so that when the corresponding window element is maximized from a minimized state in response to detection of the memory and processor usage of a window indicating that a user has selected the minimized representation of the window, as shown in Screenshot 4, the size of the maximized window is automatically adjusted to the user pre-selected size, as shown in Screenshot 5).

Referring to claims 4, 13 and 22, Windows teaches detecting a separate level of current use of each of the plurality of window elements through user interaction with each of the plurality of window elements (for example, the change in the level of memory usage is caused by user interaction, i.e. selection of the window, i.e. the "Document 2" window shown in Screenshots 4-5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 5, 7-8, 14, 16-17, 23 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft® Windows, as applied to claims 1, 10 and 19 above, and further in view of Gelsinger et al. U.S. Patent 5,892,511 (hereinafter "Gelsinger").

Referring to claims 5, 14 and 23, Windows teaches all of the limitations as applied to claims 1, 10 and 19 above. However, Windows fails to teach detecting a transparency of each separate representation of each of the plurality of window elements. Gelsinger teaches a graphical user interface that displays window elements (Gelsinger: Figure 4) similar to that of Windows. In addition, Gelsinger further teaches detecting a transparency of each separate representation of each of the plurality of window elements (detecting the translucency of windows and whether multiple translucent windows correspond to user selection) (Gelsinger: column 10, lines 19-51). It would have been obvious to one of ordinary skill in the art, having the teachings of Windows and Gelsinger before him at the time the invention was made, to modify the graphical display of window elements taught by Windows to include the transparency detection of displayed windows of Gelsinger. One would have been motivated to make such a combination in order to maximize screen real estate by hiding from view certain windows, allowing more information to be visible to the user in a clutter-free manner.

Referring to claims 7, 16 and 25, Windows, as modified, teach detecting each separate level of current activity in association with each of the plurality of windows elements displayed within the graphical interface (each window element displayed in Screenshots 2 and 3 have a separate associated level of current activity, for example, amount of memory usage, as shown by the Task Manager in Screenshot 3); and adjusting a separate alpha level associated with each of the plurality of window elements to order

the plurality of window elements to reflect each separate level of current activity (upon detecting user selection of a minimized window, the alpha levels of the windows are adjusted, or the windows are made translucent; for example, the pointed to minimized window is expanded and the remaining windows are made translucent) (Gelsinger: column 9, lines 22-25 and 61-64 and column 10, lines 11-19).

Referring to claims 8, 17 and 26, Windows, as modified, teach adjusting a separate alpha level of a selection of the plurality of window elements that are minimized representations of a plurality of windows (the minimized window, or the minimized representation of the window, are expanded and the alpha levels changed, i.e. the remaining windows are made translucent) (Gelsinger: column 9, lines 22-25 and 61-64 and column 10, lines 11-19).

6. Claims 9, 18 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft® Windows (hereinafter "Windows") and Gelsinger et al. U.S. Patent 5,892,511 (hereinafter "Gelsinger"), as applied to claims 1, 7, 10, 16, 19 and 25 above, and Hall, Jr. et al. U.S. Patent 6,108,003 (hereinafter "Hall").

Referring to claims 9, 18 and 27, Windows and Gelsinger teach all of the limitations as applied to claims 1, 7, 10, 16, 19 and 25 above. Specifically, Windows and Gelsinger teach performing at least one of minimizing and maximizing each of the plurality of window elements in response to an event (when the memory and processor usage activity level of a window changes above a certain level, i.e. when it is detected that the memory and processor usage of a window has indicated that a user has selected the minimized representation of the window, the window is automatically maximized

from a graphical icon shown in Screenshot 4 to a full graphical window shown in Screenshot 5). However, Windows and Gelsinger fail to explicitly teach minimizing or maximizing the window elements in response to adjusting the alpha levels of each of the plurality of window elements. Hall teaches an interface for displaying a plurality of window elements (Hall: column 2, lines 49-64 and Figure 2) similar to that of Windows and Gelsinger. In addition, Hall further teaches adjusting the alpha levels of each of the plurality of window elements (changing the color, shade, or intensity of the displayed window elements on the presentation space) (Hall: column 4, lines 19-31). It would have been obvious to one of ordinary skill in the art, having the teachings of Windows, Gelsinger and Hall before him at the time the invention was made, to modify the interface for minimizing or maximizing each of a plurality of window elements in response to an event of Windows and Gelsinger to include the adjustment of alpha levels of window elements, taught by Hall, in order to obtain an interface that will minimize or maximize a plurality of window elements in response to an event such as adjusting each separate alpha level of each of the plurality of window elements. One would have been motivated to make such a combination in order to produce a user friendly interface that will easily notify a user in a windowed computer environment of changes in the status or state of executing applications while minimizing the use of screen space when conveying information to users.

Response to Arguments

7. Applicant's arguments with respect to claims 1-5, 7-14, 16-23 and 25-27 have been considered but are moot in view of the new ground(s) of rejection.

8. With respect to claims 3, 12 and 23, the applicant argues that Windows only describes enabling a user to adjust the maximized size of a window by physically adjusting the window prior to minimization and does not describe adjusting a size of a maximized window element triggered by an adjustment to the activity level associated with the window element to a size pre-selected in association with that trigger. The examiner respectfully disagrees. Windows teaches that users may adjust a window to a desired size so that upon the minimized window being maximized, the maximized window is displayed according to the user selected predetermined size, as shown in Screenshots 4-5. Furthermore, Windows teaches that minimized windows are maximized upon a trigger such as an adjustment or change in activity level, i.e. change in memory or processor usage caused by user selection of a graphical representation of the window element, as shown in Screenshots 4-5; therefore, when the minimized window is maximized in response to the trigger, the window is displayed maximized according to the previously user-selected size.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CAO (KEVIN) NGUYEN
PRIMARY EXAMINER

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